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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

E-FILED - 7/12/06

11 UNITED STATES OF AMERICA,
12
13 Plaintiff,

14 v.

15 MATTHEW FONG,
16 a/k/a cyber,
a/k/a cyb3r,
17 a/k/a 1329,
18 Defendant.

No. CR 05-00505-RMW
06-00054-RMW

STIPULATION REQUESTING
CONTINUANCE OF SENTENCING
HEARING AND ~~PROPOSED~~ ORDER

19
20 It is hereby stipulated and agreed between defendant Matthew Fong, by and through his
21 counsel of record, Peter Heller, Esq., and the United States, by and through Assistant United
22 States Attorney Mark L. Krotoski, as follows:

- 23 1. This matter is presently set for a sentencing hearing on August 7, 2006 at 9:00 a.m.
24 2. The defense requests additional time to address sentencing and other issues, until
25 September 25, 2006. The government does not oppose this request.
26 3. Probation has been advised and does not oppose this request.

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STIPULATION REQUESTING CONTINUANCE OF SENTENCING HEARING AND ~~PROPOSED~~ ORDER
CR 06-0054-RMW

1 For the foregoing reasons, and that the ends of justice are served by continuing this case, the
2 parties stipulate and request to a continuance of the sentencing hearing from August 7, 2006 at
3 9:00 a.m. to September 25, 2006 at 9:00 a.m., or the next available date.

4 IT IS SO STIPULATED.

5 Dated: June __, 2006

KEVIN V. RYAN
United States Attorney

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9 Dated: June 24th, 2006

MARK L. KROTOSKI
Assistant United States Attorney


PETER HELLER
Attorney for Defendant

12 IT IS SO ORDERED.

13 Upon good cause shown, the sentencing hearing is continued from August 7, 2006 at 9:00
14 a.m. to September 25, 2006 at 9:00 a.m.

15 July
16 Dated: June 12, 2006

/s/ Ronald M. Whyte
RONALD M. WHYTE
United States District Judge

19 Distribute To:

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